IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

Mat.Appeal.No. 298 of 2005()

(O.P.(HMA)NO.1145/2003 ON THE FILE OF THE FAMILY COURT, THIRUVALLA)

APPELLANT/1ST PETITIONER:

P.R.PRADEEPKUMAR,
S/O.RAMACHANDRAN NAIR P.G.,
KANJIRAPPALLIL HOUSE, PURAMATTOM,
MALLAPPALLY TALUK.

BY ADV. SRI.MVS.NAMBOOTHIRY

RESPONDENTS:

SREEJA N.PILLAI, AGED 24 YEARS,
D/O.NARAYANA PILLAI, CHERUPUZHA VADAKKETHIL,
KALLOOPPARA, MALLAPPALLY.

BY ADV. SRI.S.SUBHASH CHAND

THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON 24/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

Mat.Appeal No.298 of 2005

Dated this the 24th day of September, 2007

JUDGMENT

Kurian Joseph,J.

This is an appeal filed against the judgment and decree in O.P.(HMA)No.1145/2003 on the file of the Family Court, Thiruvalla at the instance of the first petitioner, the husband. It is seen that the first petitioner and respondent herein had filed petition under Section 13B of the Hindu Marriage Act, 1955 before the Family Court. However, when the matter was taken up only the husband was present and hence the original petition was dismissed. Learned counsel on both sides submit that the parties have subsequently entered a settlement whereby they have decided to pursue the joint petition before the Family Court and hence it is submitted that the matter can be remitted to the Family Court for further orders on the joint petition. Accordingly we set aside the order dated 7-2-2005 in O.P.No.1145/2003 on the file of the Family Court, remit the matter to the Sub Court for passing further orders on the joint petition filed by the parties.

The matter shall be disposed of expeditiously, at any rate within a period of three months from the date of production of a copy of this judgment.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

ahg.